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JS-6

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United States of America

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UNITED STATES OF AMERICA,	)	NO. CV 09-07143 DDP (RZx)
	)	
Plaintiff,	)	
	)	<b>CONSENT JUDGMENT OF FORFEITURE</b>
vs.	)	
	)	
\$18,000.00 IN U.S. CURRENCY,	)	
	)	
Defendant.	)	

This action was filed on October 1, 2009. Notice was given and published in accordance with law. Plaintiff and claimants Antony Nunes ("Nunes") and Lynniemarie Beard ("Beard") have reached an agreement that is dispositive of the action. No other

1 statements of interest or answers have been filed, and the time  
2 for filing such statements of interest and answers has expired.  
3 The parties hereby request that the Court enter this Consent  
4 Judgment of Forfeiture.

5 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

6 1. This Court has jurisdiction over the parties and the  
7 subject matter of this action.

8 2. Notice of this action has been given in accordance with  
9 law. All potential claimants to the defendant \$18,000.00 in U.S.  
10 currency (hereinafter "defendant currency"), other than Nunes and  
11 Beard are deemed to have admitted the allegations of the  
12 Complaint. The allegations set out in the Complaint are  
13 sufficient to establish a basis for forfeiture.

14 3. The United States of America shall have judgment as to  
15 \$12,000.00 of the defendant currency, plus all interest earned by  
16 the government on the full amount of the defendant currency, and  
17 no other person or entity shall have any right, title or interest  
18 therein. The United States Marshals Service is ordered to  
19 dispose of said assets in accordance with law.

20 4. \$3,000.00 of the defendant currency, without any  
21 interest earned by the government on that amount, shall be paid  
22 to Antony Nunes and be returned in care of his attorney, Atyria  
23 S. Clark, Esq., Atyria S. Clark & Associates, ALC, 1158 26<sup>th</sup>  
24 Street, Suite 783, Santa Monica, California 90403. Nunes and his  
25 attorney will provide any and all information needed to process  
26 the return of funds according to federal law.

27 5. \$3,000.00 of the defendant currency, without any  
28 interest earned by the government on that amount, shall be paid

1 to Lynniemarie Beard and be returned in care of her attorney,  
2 Atyria S. Clark, Esq., Atyria S. Clark & Associates, ALC, 1158  
3 26<sup>th</sup> Street, Suite 783, Santa Monica, California 90403. Beard and  
4 her attorney will provide any and all information needed to  
5 process the return of funds according to federal law.

6 6. Nunes and Beard hereby release the United States of  
7 America, its agencies, agents, and officers, including employees  
8 and agents of the Drug Enforcement Administration, Los Angeles  
9 Police Department and Los Angeles Sheriff's Department, from any  
10 and all claims, actions or liabilities arising out of or related  
11 to this action, including, without limitation, any claim for  
12 attorney's fees, costs or interest which may be asserted on  
13 behalf of the claimants, whether pursuant to 28 U.S.C. § 2465 or  
14 otherwise.

15 7. The court finds that there was reasonable cause for the  
16 seizure of the defendant currency and institution of these  
17 proceedings. This judgment shall be construed as a certificate  
18 of reasonable cause pursuant to 28 U.S.C. § 2465.

19  
20 Dated: March 08, 2011

  
21 THE HONORABLE DEAN D. PREGERSON  
22 UNITED STATES DISTRICT JUDGE

23 **[Signatures of counsel appear on the next page.]**  
24  
25  
26  
27  
28

Approved as to form and content:

DATED: February 28, 2011 ANDRÉ BIROTTE JR.  
United States Attorney  
ROBERT E. DUGDALE  
Assistant United States Attorney  
Chief, Criminal Division  
STEVEN R. WELK  
Assistant United States Attorney  
Chief, Asset Forfeiture Section

\_\_\_\_\_/S/  
KATHARINE SCHONBACHLER  
Assistant United States Attorney  
Attorneys for Plaintiff  
United States of America

ATYRIA S. CLARK & ASSOCIATES, ALC

DATED: February 22, 2011 \_\_\_\_\_/S/  
ATYRIA S. CLARK, ESQ.  
Attorney for Claimants  
ANTONY NUNES AND LYNNIEMARIE BEARD

DATED: February 16, 2011 \_\_\_\_\_/S/  
ANTONY NUNES  
Claimant

DATED: February 16, 2011 \_\_\_\_\_/S/  
LYNNIEMARIE BEARD  
Claimant